

Date Adopted: May 26, 1994
File Number: CSM 4403
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ADOPTED PARAMETERS AND GUIDELINES

Vehicle Code § 10500

Chapter 337, Statutes of 1990

Stolen Vehicle Notification

I. Summary of Mandate

Chapter 337, Statutes of 1990, amended Vehicle Code § 10500 to require that the original reporting law enforcement agency notify the reporting party of the location and condition of a recovered stolen vehicle, within 48 hours of receiving notice of the recovery.

II. Commission on State Mandates' Decision

At its hearing of September 24, 1992, the Commission determined that, to the extent the provisions of Vehicle Code § 10500 exceed the notification requirements set forth in prior laws, § 10500 requires local agencies to implement a new program or higher level of service in an existing program, within the meaning of section 6, article XIIB of the California Constitution and Government Code § 17514.

III. Eligible Claimants

Counties and cities.

IV. Period of Reimbursement

Chapter 337, Statutes of 1990, became effective January 1, 1991. Government Code § 17557 states that a test claim must be submitted on or before December 31 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed by the County of San Bernardino on November 15, 1991. Therefore, reimbursement claims may be filed for costs incurred on or after January 1, 1991.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent fiscal year may be included in the same claim, if applicable. Pursuant to Government Code § 17561, subdivision (d), subpart (3), all claims for reimbursement of costs shall be submitted within 120 days of notification by the State Controller of the enactment of the claims bill.

If the total costs for a given fiscal year do not exceed \$200, no reimbursement shall be allowed, except as otherwise provided by Government Code § 17564.

V. *Reimbursable Costs*

A. Scope of Mandate

Law enforcement agencies which originate a stolen vehicle report shall be reimbursed for the increased costs of notifying the party that reported the vehicle stolen of its recovery and the location and condition of the vehicle. The costs which are reimbursable are limited by the following requirements:

1. *The original reporting law enforcement agency shall not be the same agency that recovers the vehicle, except as noted in Item 2 below.*
2. *When the reporting party is not the owner of the vehicle, the original reporting agency and the recovering agency may be the same.*

B. Reimbursable Activities

For each eligible claimant, the following is reimbursable:

The cost of notifying the reporting party, by telephone or in writing, of the location and the condition of the recovered vehicle.

VI. *Claim Preparation*

Each claim for reimbursement pursuant to this mandate must be timely filed and set forth a listing of each item for which reimbursement is claimed under this mandate.

A. Description of Activity

B. Supporting Documentation

Claimed costs should be supported by the following information:

1. *Employee Salaries and Benefits*

Identify the employee(s), show the classification of the employee(s) involved, describe the mandated functions performed and specify the actual number of hours devoted to each function. The average number of hours devoted to each function may be claimed if supported by a documented time study.

As an alternative to the above methods, a unit time not to exceed ten minutes per report may be claimed.

2. *Services and Supplies*

*Only expenditures which can be **identified** as a direct cost of the mandate can be claimed. List the cost of materials which have been consumed or expended specifically for the purpose of this mandate.*

3. Allowable Overhead Costs

Indirect costs may only be claimed by using 10 percent of direct labor as an indirect cost rate or by preparing a departmental indirect cost rate proposal to determine the rate.

VII. Supporting Data

For auditing purposes, all costs claimed shall be traceable to source documents (i.e., employee time records, invoices, receipts, purchase orders, contracts, worksheets, etc.) that show evidence of and validity of claimed costs. All documentation supporting such costs shall be made available to the State Controller or his agent, as may be requested, during the record retention period specified in Government Code § 17588.5, subdivision (a).

Government Code § 17588.5, subdivision (a) requires that all supporting source documents and worksheets must be kept on file not less than four years after the end of the calendar year in which the reimbursement claim is filed or last amended, unless no funds are appropriated for the program for the fiscal year for which the claim is made, in which case, the four year retention period shall commence to run from the date of initial payment of the claim.

VIII. Offsetting Savings and Other Reimbursements

Any offsetting savings the claimant experiences as a direct result of this statute must be deducted from the costs claimed. In addition, reimbursement for this mandate received from any source, e.g., federal, state, etc., shall be identified and deducted from this claim.

IX. State Controller's Office Required Certification

An authorized representative of the claimant will be required to provide a certification of the claim, as specified in the State Controller's claiming instructions, for those costs mandated by the statute contained herein.